IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT **PETITION NO.1258 OF 2006**

Miss Devyani R. Sabnis ...Petitioner

Vs.

Shri Poorna Prajna Education

Centre & Ors. ...Respondents

Mr. I.A. Engineer for the Petitioner

Mr. V.H. Kantharia with Mr. S.D. Bhosale, for

respondent Nos. 1 and 2.

Mr. M. More, AGP for Respondent Nos. 3 and 4.

CORAM: **F.I. REBELLO &**

MRS.V.K.TAHILRAMANI, JJ.

DATE: 10th July,2006

P.C.

. The petitioner herein had approached the School Tribunal on the ground that her services as Assistant Teacher have been illegally terminated. That appeal came to be allowed on 13th February, 2002. The management being aggrieved preferred a Petition before this Court being Writ Petition No.6021 of 2002. That petition was disposed of with some observations. It appears that thereafter the petitioner preferred one more Writ Petition being

Writ Petition No.3107 of 2003. A learned Bench of this Court held that what the learned Single Judge had done was to merely clarify the order of reinstatement. The Respondents School acting on the order of the learned Single Judge had raised a contention that the petitioner was not in employment. That contention was rejected and the management was directed to pay the petitioner the salary. Since the order was also against the Government the Government has preferred S.L.P. against the direction issued to them. We are not concerned with that aspect of the matter.

2. The grievance of the petitioner now here is that though there is an order of reinstatement and direction to pay the salary the petitioner is not being given the work in the computer section.

. The management is bound to pay the petitioner as she is in their employment as Assistant Teacher. Considering that the order of reinstatement was set aside and confirmed by this Court. We, therefore, direct the management to forthwith to give the work to the petitioner which she is entitled to do. In the event that is not done we direct the respondent No.3 to take such steps against the management under the provisions of Act, apart from whatever directions this Court may take against the management for failure to comply with the directions of this Court.

On behalf of the management the learned Counsel states that he has advised the management to pay salary of the petitioner in terms of the directions of this Court. Needless to say that this would be subject to whatever right the management will have in the review petition filed by them.

3. With the above directions petition stands disposed of.

(**F.I. REBELLO, J)**

(**MRS.V.K.TAHILRAMANI, J).**